

Executive Meeting No. 4 of 2005/2006

5 April 2006

Minutes

Present:	Chairperson	Bernard Singer
	Deputy Chairperson	Leonard Burton
	Anilayla	Kawaki Thompson
	Indulkana	Max Kenny
	Kaltjiti	Murray George
	Mimili	Tony Campbell (arrived at 1:30 pm)
	Murputja	Mike Williams
	Pukatja	Gary Lewis
	Kalka/Pipalyatjara	Cameron Cooper
	Watarru	(In Hospital)
	Director	Rex Tjami
	General Manager	Ken Newman

There are 7 observers to the Executive meeting

The meeting commenced at 12:45 pm at Umuwa due to elections at Kaltjiti.

1. Welcome

Mr George opened the meeting with a prayer.

Bernard Singer asked the General Manager to make an adjustment with agenda Item 5 being replaced with Item 13, Public Transportation.

Bernard Singer told Executive that they have an important role to play and Members need to turn up on time for a meeting. In this way, matters can be discussed properly. If a member is not able to attend, they should send an apology or proxy.

2. Previous Minutes of Meeting No. 3 of 2005/2006 – 1 March 2006

The previous Minutes of Meeting No.3 of 1 March 2006 were read by the General Manager and than accepted without alteration.

Moved: Leonard Burton
Second: Mike Williams
Carried: All

3. Correspondence In/Out

In	From	Issue
3/3/2006	Gary Lewis	Self determination & Governance Training
20/3/2006	Gary Lewis	Constitutions of APY Communities
29/3/2006	Gary Lewis	Draft Agenda Items

These letters were received from Gary Lewis and it was suggested he would be the best person to talk about these letters. Bernard Singer asked members about broadcasting the meeting live across the Lands.

a) Self Determination & Governance training

Mr Lewis said he is concerned from a community perspective. Anangu people in their own communities need to make their own decisions and not be interfered with by other Anangu agencies. APY can sometimes help communities but not tell communities what to do. Communities need to have their own planning and decision making.

b) Constitutions of APY Communities and c) Draft Agenda Items

Mr Lewis spoke of his second letter about APY undermining community constitutions. Mr Newman read his reply to Mr Lewis. Ruth Morley replied to comments in Mr Lewis's letter as being defamatory and against the Code of Conduct. Her professional opinion was that all protocols were followed at the AGM.

Mr Burton talked about needing support to have a strong constitution so Councils can work clear with the communities. Leonard Burton said we need more governance training about how to control their community, to work as a team to help our community. We need APY to come along and help us with big problems as needed - Director, General Manager and Lawyer.

Bernard Singer raised the matter of staying with the agenda items and saving business for other business, unless members have already put it on the agenda.

d) 29/3/2006 Alison Kimber Rehab. Facility & Mobile Outreach Program

e) 3/4/2006 Murputja Executive Board Member

There was discussion about Section 12 and the General Manager read the section opening the meeting to all Anangu. 12D is about Conflict of Interest. The letter is from the Community about their elected member and Sammy Lyons has come along to talk about this. It is good for everyone to be involved in our meeting to show they are open.

Mr Williams said he is happy for Mr Lyons to speak about this matter. Mr Lewis said that if there is a breach of the code of conduct the Minister can intervene. The General Manager reported this is not about a breach of the code of conduct but a letter to APY from the community asking for help about their elected member.

A member has requested that observers to this meeting go outside for a while during discussions about this matter. Mr Burton said the meeting should be open and we should listen to what the community wants. Mr Lewis said he will seek independent legal advice whether there is a breach of 12D conflict of interest.

Ruth Morley reported on 12D and 12D 8 which provide an exemption for discussions that relate to a member's community.

A vote was taken on whether the observers should go or stay. Vote confirmed observers could stay at the meeting.

Mr Williams said during the time, he has been at Cultural business and he will be attending meetings on the western side after Easter.

Mr Lyons said he was the Chairman for Nyapari. He spoke of the community concerns about not having their member report back what is going on. Mike Williams said he is a Traditional Owner for that country and he has already advised these communities of his being away.

Out	To	Issue
2/3/2006	Jos Mazel	Code of Conduct & Guidelines for Procurement
2/3/2006	Jos Mazel	Waste Management, Pukatja
2/3/2006	Sue Wallace	Tourism Scoping Report
2/3/2006	Alison Kimber	Substance Misuse Facility Committee
3/3/2006	Andy Sayers	Elder Expedition
3/3/2006	M&M Walter	IGO Exploration
20/3/2006	Mike Harvey	SGM of APY Services
22/3/2006	P Heithersay	Malpa and Law & Culture Funding
23/3/2006	Gary Lewis	Response to letter of 3/3/2006

Business Arising from the Minutes

4. Application for ELA – IGO

Following discussion, the General Manager was to write to them inviting to a future meeting, May 2006.

Action: GM to write letter to M & M

5. Public Transportation – Stewart Johns, Transport SA

Stewart Johns briefed Executive on the possibilities of a public transportation service through the APY Lands. Different options were provided and APY Executive is being asked for input.

Rex Tjami said that about 3 years ago there was discussion about an intra-Lands service between communities and run by Anangu.

The questions being asked are:

- Does APY need the service?
- Which communities should be serviced?
- How often?

There was considerable discussion on whether the service should be Anangu or an outside business and where it should go. There was also concern about people without permits that may get off the bus while on the APY lands.

Executive Board Members will take the maps and the “Passenger Transport” report to discuss at community level and come back and discuss next meeting.

Action: Executive Board to discuss with their communities

6. Anthropology Update – ACHM

This report was tabled and provides information. The anthropologists will be at the next meeting to discuss their work properly.

7. Legal Report – Nicola Thompson, APY Legal Officer

Nicola Thompson read through their report.

- a) Deed renewal for ELA 627/05, Claude Hill - deferred to next meeting
- b) update on action since AGM

8. Mai Wiru Update – J Tregenza

John Tregenza reported good news and provided advice about the signing ceremony tomorrow with preferred suppliers. All participating stores in the Mai Wiru group will get a signed certificate. PY Media will do a good news story to go on Koori News. They are also doing “fruit tracking” to make sure fruit and veg arrive in good condition. Budgets are being prepared with store managers to ensure good prices. Procedural manuals are almost complete. Mai Wiru is helping communities recruit store managers at Indulkana and Kanypi.

Other stores can come on board if they agree to follow the Mai Wiru policy.

9. Cross Border Access & Support for Victims of Crime – J Tregenza

John reported on a consultancy he is doing to work with victims of crime that crosses 3 jurisdictions – WA / NT / SA. Over the next 3 months John will be going out to consult in the areas affected by the 3 states. It is known as “victims’ rights” help court reports for victim impact statements. People need to think 2 ways to ensure it is the right way.

John will report back to a future Executive meeting and later at a general meeting.

10. Police and Kaltjiti – Sgt. Kim Goreham and Constable Jacko.

At the AGM, Kaltjiti members wanted to talk about policing at Kaltjiti.

Jacko: 3 flying in members each week
 5 permanent people on the APY Lands
 Calling for staff at Murputja
 Rick and Adam living at Umuwa
 John’s house is due next week
 Rick injured and will be out for a month

Kim: Big issue for Police is Road Safety
 Over Easter – some initiatives
 Some joint operations with NT/WA, re: drugs and petrol

Jacko: running blue light discos

Working with Youth workers to support them

Work closely with DFC and their programs

Night Patrol training – next Monday at Indulkana

Need to talk to Pukatja about helping there

Some of the \$ \$ have not been applied for by some communities

Amata has a good night patrol without funding

Kim: Community Constables

Only 5 of 10 filled – 1 leaving and 1 on long leave

Potential Constables fall over because of health reason or rules on prior criminal histories.

Bernard Singer asked how APY could help change these rules.

Kim stated we would have to talk with the commissioner on this matter

Bernard Singer said that to help the non-Anangu police do their job properly they need Anangu to help them.

Murray George of Kaltjiti said there was concern that Kaltjiti had nominated a potential community Constable but he wasn't appointed. Kim said there were reasons (confidential) why he could not be appointed. Bernard Singer suggested Kaltjiti nominate 8-9 people to give the police a choice for a community constable.

Ruth Morley talked about road safety and the lack of child restraints and people not using seatbelts. Kim said there were 10 Anangu killed last year on the roads.

Kim talked about policing Mintabie, lots has been done there undercover. There are issues about alcohol and what should be done.

11. Substance Misuse Facility and Mobile Outreach Service – Jacqui Lawson & Chris Larkins

Jacqui provided information about the facility that is important to the overall strategy. Kawaki Thompson will be Malpa for Dale Thompson and Peter Kay and they will commence community consultations soon. They will come along to next meeting with a model of the proposed facility.

Mr Lewis questioned why this is taking so long. Bernard Singer reported that DFC is following the correct process to make sure the place is right. He suggested that Kawaki and others do community consultations and then have a SGM just to talk about the substance misuse facility. A draft plan (paper) of the facility was supplied.

12. Petrol Sniffing Tri-State Taskforce – Richard Trevena, Wendi Key & Sanjeev Commar

The outline provided states the three would be “Presenting an overview of the Central Australia Petrol Sniffing Strategy covering the 8 points of the plan and how the APY Executive can contribute to the development and implementation of the Strategy in the APY Lands. Wendi Key and her husband are part of the team co-ordinating the strategy and Sanjeev Commar has carriage of the issue in Canberra. They are all part of the Tristate team which is looking at a three year

strategy to deal with sniffing. A youth SRA is proposed as well as the Rehab Centre the Commonwealth is funding for the Lands.”

Wendi advised there are 600 sniffers in Central Australia so NT / WA / SA are working together. \$9.5m is available - \$6m for Opal, \$0.5m to assist with policing / trafficking. \$3m in the NT for Looking at Initiatives for young people. Looking at input from Executive Board. In the past few weeks, Opal has been rolled out to Kalka, Mintabie, Marla, Kenmore, Cadney Park. Opal is only one part of the strategy.

There was talk about the abolition or changing of CDEP and how there are no wages for Anangu. **Richard Trevena** said they would be talking at Wiru Palyantjaku tomorrow about SRA – Shared Responsibility Agreement. Richard said he would like APY to take a Lands wide view rather than with individual communities.

Kawaki Thompson said that APY as leaders need to look at the problems for the Lands as a whole, not just for their own community. He was concerned where the funds would come from. **Gary Lewis** expressed concern that funding would go through APY and not direct to the communities. **Murray George** expressed the same concern.

Kawaki Thompson replied that Government want to support the whole lands. APY is there to support communities. They are not taking over.

Bernard Singer explained that Government agencies are learning to come to the lands via APY and this is good.

Richard Trevena explained that since the *Act* was amended, APY needs to take a more leading role as having primary responsibility for issues that affect the whole lands. They are the land holding body. Community business is community affairs that need local input. APY needs to work with communities. It is the land holding body and needs to be given the support it deserves. Richard advised he has sent through to the General Manager a report on the review of the COAG trials, Mai Wiru and Rural Transaction Centres.

The report will be distributed to Executive Board Members but is not for general circulation.

Other Business

13. Gordon Inkatji – David’s Well / Anilayla

He said that he has been waiting since Murray George was Chairperson of Law & Culture. He promised him for a long time a vehicle and it’s time to talk to Executive about this. He was asking Executive to think about giving him something. He said he always stays at his homeland. Bernard Singer advised Executive will talk about it and report back at a later time. Mr George said he has no power in this area and it is up to the Executive.

Action: Discussion will continue at next meeting.

14. Akitiya Tjitayi – Pukatja

She has concerns about what is around her homeland. Katrina Tjitayi, her daughter is also present. She was at a meeting where she was called out to sign something she knew nothing about. The family were cross with her because there is a cemetery there. The family do not now agree with what was signed. There was no consultation with the people who were there and they have been fenced on both sides.

Action: General Manager will follow up with Land Management and ensure there is a follow up meeting with family. There is also concern a grader has gone through without appropriate clearance.

15. Development Applications -

Meg Bartholomew, Housing Services Officer (APY Services) presented 9 x development applications

Mimili Tafe Shed	Development Application	OK
Mimili DPC house	Site and Development Applications	<i>Defer</i>
Mimili NAHS 4xhouses	Site and Development Applications	OK
Iwantja NHC house	Development Application	OK
Amata DPC House	Site and Development Applications	<i>Defer</i>
Amata Police Station	Site and Development Applications	<i>Defer</i>
Pukatja Police Station	Site and Development Applications	<i>Defer</i>
Pukatja NHC House	Development Applications	<i>Defer</i>
Pukatja CHP 4xHouses	Site and Development Applications	OK

Meg also spoke about problems with the Kalka Aged Care facility that includes:

1. Project has been tendered and the contract let without the necessary approvals
2. Lack of Appropriate consultation and ignoring what consultation was done
3. Repeat of accommodation that has failed in other communities – why repeat the same model?
4. Site layout and unit plans that do not suit the site or services
5. Access for people in wheel chairs has not been provided
6. Sharing of bathroom facilities between units and non compliance with Minister's spec and BCA (Class 3)
7. Client group (APY) not informed at appropriate stages of sketch design, design development, documentation
8. No application for APDC approval has been submitted

Meg is also working with the APY Lawyer to work on forms for agency service agreements.

- **NAHS houses at Watarru**

Structure was damaged in transport and there are concerns about damage to the frames.

Following discussion, Meg was told to check on insurance.

- **Town Structure Plans**

Meg reported there were discrepancies between the brief and the product (in draft stages).

Ken Newman advised that the town planners have requested to come to the May meeting.

- APDC Committee

Meg will try and arrange the next meeting to be the day before the next Executive meeting to link in with members' travels.

16. Wiru Palyantjaku

A Report provided by Mary Anderson was tabled and supplied to Members. There is a two (2) day workshop starting tomorrow.

17. ILC Watarru – Advisory Report

The General Manager read the report from Lexie Knight recommending further information is sought from DEH about the project application. Executive Board discussed the matter and directed that further information be sought.

Action: General Manager to write to DEH.

18. Permits

A New form that reduces the number of communities listed and removes the “All Areas” was approved. This will reduce the onus on smaller communities to reply to permit requests when people do not actually plan to visit all areas. Applicants will now have to detail the names of homelands they plan to visit.

19. Date of Next Meeting

The next Executive Board meeting will be held on Wednesday 3 May 2006 at Mimili commencing at 10:00 am.

Bernard Singer reminded Members of their need to be responsible for attending meetings on time or to either send apologies or an official proxy to a meeting. Ken Newman, General Manager also suggested that Members arrive at the meeting a day before and allocate one-half day to their Sub-Committee duties. In this way Members could discuss some of those issues at their Board Meetings. Members supported this idea.

The Executive Board were made aware that Jay Weatherill, the new Minister for Aboriginal Affairs and Minister for Housing is planning a visit to the APY Lands in mid May 2006. When those details are known, we may have to schedule a special meeting for his visit and also to plan an itinerary for him to visit some communities. Bernard Singer said it will be important for the Minister to visit communities in most need of housing so that he can see firsthand the problems communities face.

Mike Williams closed the meeting with a prayer. The meeting closed at 8:10 pm.

Minutes by Ken Newman, General Manager

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Agenda**

- 1. Welcome**
- 2. Previous Minutes of 1 March 2006**
- 3. Correspondence In/Out**

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3/4/2006	Murputja	Executive Board Member
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Business Arising from the Minutes

- 4. Application for ELA – IGO**
- 5. PIRSA Update – Ian Hopton**
- 6. Anthropology Update – ACHM**
- 7. Legal Report – APY Legal Officer**
- 8. Substance Misuse Facility and Mobile Outreach Service – Jacqui Lawson**

New Business

- 9. Police and Kaltjiti –**
- 10. Mai Wiru Update – J Tregenza**
- 11. Support for Victims of Crime in the Cross Border Region – J Tregenza**
- 12. Cross Border Access & Support for Victims of Crime – J Tregenza**
- 13. Public Transportation – Alwyn McKenzie, Stuart Johns, Phil Saunders, DTEI**
- 14. Development Applications - Meg Bartholomew, Housing Services Officer (APY Services)**
- 15. Petrol Sniffing Tri-State Taskforce – Richard Trevena and Wendi Key**
- 16. Constitutions – Gary Lewis**

Other Business

- 17. Wiru Palyantjaku – Update Report**
- 18. ILC Watarru – Advisory Report**
- 19. Permits – Draft Application Form**
- 20. Date of Next Meeting**